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U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE  
Application or Docket Number **09/648325**

# PATENT APPLICATION FEE DETERMINATION RECORD

Substitute for Form PTO-875

## CLAIMS AS FILED - PART I

FOR	(Column 1) NUMBER FILED	(Column 2) NUMBER EXTRA
BASIC FEE (37 CFR 1.16(a))		
TOTAL CLAIMS (37 CFR 1.16(c))	minus 20 =	*
INDEPENDENT CLAIMS (37 CFR 1.16(b))	minus 3 =	*
MULTIPLE DEPENDENT CLAIM PRESENT (37 CFR 1.16(d))		

\* If the difference in column 1 is less than zero, enter "0" in column 2.

SMALL ENTITY	
RATE	FEE
	\$
X \$	=
X \$	=
+	=
TOTAL	

OTHER THAN SMALL ENTITY	
RATE	FEE
	\$
X \$	=
X \$	=
+	=
TOTAL	

## CLAIMS AS AMENDED - PART II

	(Column 1) CLAIMS REMAINING AFTER AMENDMENT	(Column 2) HIGHEST NUMBER PREVIOUSLY PAID FOR	(Column 3) PRESENT EXTRA
AMENDMENT A			
Total (37 CFR 1.16(c))	32	20	12
Independent (37 CFR 1.16(b))	3	3	0
FIRST PRESENTATION OF MULTIPLE DEPENDENT CLAIM (37 CFR 1.16(d))			

SMALL ENTITY	
RATE	ADDITIONAL FEE
X \$	=
X \$	=
+	=
TOTAL ADD'L FEE	

OTHER THAN SMALL ENTITY	
RATE	ADDITIONAL FEE
X \$	=
X \$	=
+	=
TOTAL ADD'L FEE	600

	(Column 1) CLAIMS REMAINING AFTER AMENDMENT	(Column 2) HIGHEST NUMBER PREVIOUSLY PAID FOR	(Column 3) PRESENT EXTRA
AMENDMENT B			
Total (37 CFR 1.16(c))	39	32	7
Independent (37 CFR 1.16(b))	9	3	6
FIRST PRESENTATION OF MULTIPLE DEPENDENT CLAIM (37 CFR 1.16(d))			

SMALL ENTITY	
RATE	ADDITIONAL FEE
X \$	=
X \$	=
+	=
TOTAL ADD'L FEE	

OTHER THAN SMALL ENTITY	
RATE	ADDITIONAL FEE
X \$	=
X \$	=
+	=
TOTAL ADD'L FEE	1350

	(Column 1) CLAIMS REMAINING AFTER AMENDMENT	(Column 2) HIGHEST NUMBER PREVIOUSLY PAID FOR	(Column 3) PRESENT EXTRA
AMENDMENT C			
Total (37 CFR 1.16(c))			
Independent (37 CFR 1.16(b))			
FIRST PRESENTATION OF MULTIPLE DEPENDENT CLAIM (37 CFR 1.16(d))			

SMALL ENTITY	
RATE	ADDITIONAL FEE
X \$	=
X \$	=
+	=
TOTAL ADD'L FEE	

OTHER THAN SMALL ENTITY	
RATE	ADDITIONAL FEE
X \$	=
X \$	=
+	=
TOTAL ADD'L FEE	

\* If the entry in column 1 is less than the entry in column 2, write "0" in column 3.

\*\* If the "Highest Number Previously Paid For" IN THIS SPACE is less than 20, enter "20".

\*\*\* If the "Highest Number Previously Paid For" IN THIS SPACE is less than 3, enter "3".

The "Highest Number Previously Paid For" (Total or Independent) is the highest number found in the appropriate box in column 1.

This collection of information is required by 37 CFR 1.16. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 12 minutes to complete, on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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MAY 15 2006

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re application of )

ANDREW JOHN HOLMES and )  
CAMERON WILLIAM WATSON )

Serial No. 09/648,325 )

Filed August 25, 2000 )

HYDRAULIC FLUID )

Group Art Unit: 1764

Examiner: Ellen M. McAvoy

Attorney Docket: TS7564

COMMISSIONER FOR PATENTS

P. O. Box 1450

Alexandria, VA 22313-1450

Sir:

**RESPONSE TO OFFICE ACTION MAILED NOVEMBER 15, 2005**

Applicant respectfully requests entry of the attached amendments and consideration and allowance of all of the pending claims

Remarks/Arguments begin on p. 9 of this paper.

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01 FC:1202 350.00 DA  
02 FC:1201 1200.00 DA

would motivate a person of ordinary skill in the art to modify either reference to produce a hydraulic fluid comprising a combination of ZnDTP and magnesium salicylate. Nor has the examiner pointed to a teaching or suggestion that using the claimed combination would be a result effective variable.

For the foregoing reasons, claims 13-17, 19, 21, and 34-38 depend from allowable base claims and are allowable therewith.

### **CONCLUSION**

For all of the foregoing reasons, Applicant respectfully requests entry, consideration, and allowance of all of the pending claims. The Commissioner is hereby authorized to charge any fees associated with this paper to Deposit Account No. 19-1800 (File no. TS7564), maintained by Shell Oil Company

Respectfully submitted,

  
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